UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/635,597	08/06/2003	Yong Cui	TI-35649	1391

23494 7590 12/27/2007

TEXAS INSTRUMENTS INCORPORATED
P O BOX 655474, M/S 3999
DALLAS, TX 75265

EXAMINER	
CARDENAS NAVIA, JAIME F	
ART UNIT	PAPER NUMBER
4182	

NOTIFICATION DATE	DELIVERY MODE
12/27/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

uspto@ti.com
uspto@dlemail.itg.ti.com

Office Action Summary	Application No.	Applicant(s)	
	10/635,597	CUI ET AL.	
	Examiner	Art Unit	
	JAIME F. CARDENAS NAVIA	4182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 August 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Introduction

1. This **NON-FINAL** office action is in response to applicant's submission filed on August 6, 2003. Currently, claims 1-21 are pending.

Specification

2. **The disclosure is objected to** because of the following informalities:

In the BRIEF DESCRIPTION OF THE DRAWINGS section, p. 3, par. 2 reads, "FIGURES 2a-e illustrate…" There is no FIGURE 2e, so this should be amended to read, "FIGURES 2a-d illustrate..."

In the DETAILED DESCRIPTION OF THE INVENTION section, p. 4, par. 1, line 5 reads, "micro-processor **303**." No figure reference number **303** exists, so specification should be amended to read, "micro-processor **103**."

Claim Objections

3. **Claims 6, 13, 14, and 16-21 are objected to** because of the following informalities:

Regarding claims 6, 13, and 20, "file'" should be changed to "file's." Appropriate correction is required.

Regarding claims 13 and 14, "article" should be changed to "system." Appropriate correction is required.

Regarding claims 16 and 17, "The system of claim 8" should be changed to "The *portable computing device* of claim *15*."

Regarding claim 18, "The system of claim 10" should be changed to "The *portable computing device* of claim *17*."

Regarding claim 19, "The system of claim 11" should be changed to "The *portable computing device* of claim *18*."

Regarding claims 20 and 21, "The article of claim 8" should be changed to "The *portable computing device* of claim *15*."

Claim Rejections - 35 USC § 112

4. **Claims 2-5, 9-12, and 16-19 are rejected under 35 U.S.C. 112, second paragraph**, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 2, 9, and 16, "*a* time management application" should be changed to "*the* time management application" to make clear that the appointment is in the same time management application from claim 1.

Regarding claims 3, 10, and 17, "*a* time management application" should be changed to "*the* time management application" to make clear that the task is in the same time management application from claim 1.

Regarding claims 4, 11, and 18, two new elements are introduced, and the relationship between these two new elements and existing elements is unclear. Is "a calendar time management application" meant to be *the* time management application from claim 1, or a completely new application? Is "an assignments due list" part of the calendar time management application, created by it, or something else? "*The* task" implies that it is the same task that is a time management entry that was created in the time management application. So then how does the "an assignments due list" fit in? Examiner has assumed for examination that "calendar time management application" is "the time management application," and that "an assignments due list" is created by the time management application to display tasks occurring in a user-defined time period.

Regarding claims 5, 12, and 19, "*the* time periods" lacks antecedent basis, and should be changed to "time periods."

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. **Claims 1-21 are rejected under 35 U.S.C. 101** because the claimed invention is directed to non-statutory subject matter. The steps of creating and attaching may be interpreted as involving no more than a manipulation of an abstract idea. The claimed invention as a whole does not accomplish a practical application. To qualify as accomplishing a practical application, an invention must produce a "useful, concrete, and tangible result." The claimed invention could be interpreted as no more than creating a set of data and then attaching more data to it, which fails to produce a "useful, concrete, and tangible result." See State Street, 149 F.3d at 1373, 47 USPQ2d at 1601-02.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. **Claims 1-5, 8-12, and 15-19 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Worthington (US 6,442,527 B1) in view of Lofton (US 2003/0154116 A1).

Regarding claim 1, Worthington teaches:

An article comprising a medium storing software that causes a processor-based computer system (col. 3, lines 52-55. It is inherent that the steps could be stored in software) to perform the following steps:

a. create a time management entry in a time management application (col. 1, lines 61-64, col. 2, lines 24-33).

Worthington does not teach:

b. attach a file to the time management entry.

Lofton teaches:

b. attach a file to the time management entry (par. 23, lines 1-6 and 8-11, par. 112, lines 1-15).

The inventions of Worthington and Lofton pertain to scheduling time management entries in a time management application. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Lofton does not teach away from or contradict

Worthington, but rather, teaches an additional feature that was not addressed. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the fact that additional information is sometimes desired for certain appointments and tasks, such as the example for directions to a scheduled soccer game taught by Lofton (par. 112, lines 5-7).

Regarding claim 2, Worthington teaches wherein the time management entry is an appointment in a time management application (col. 2, line 30, col. 5, lines 49-55).

Examiner officially notes that the example of a time management entry of "an appointment" is nonfunctional descriptive material, because it does not alter the article, and the application would be operable in the same manner regardless of if the time management entry is an appointment, an event, a task, etc. Thus, this nonfunctional descriptive material will not distinguish the claimed invention from the prior art in terms of patentability.

Regarding claim 3, Worthington teaches wherein the time management entry is a task in a time management application (col. 2, lines 31, col. 5, lines 49-52, 55-58).

Examiner officially notes that the example of a time management entry of "a task" is nonfunctional descriptive material, because it does not alter the article, and the application would be operable in the same manner regardless of if the time management entry is an appointment, an event, a task, etc. Thus, this nonfunctional descriptive material will not distinguish the claimed invention from the prior art in terms of patentability.

Regarding claim 4, Worthington teaches wherein the task is in an assignments due list of a calendar time management application (col. 2, line 31, col. 5, lines 49-58, Figures 4 and 5).

Regarding claim 5, Worthington does not teach wherein the time periods in the calendar time management application are class periods.

Lofton teaches wherein the time periods in the calendar time management application are class periods (par. 127, lines 7-10).

The inventions of Worthington and Lofton pertain to scheduling time management entries in a time management application. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Lofton does not teach away from or contradict Worthington, but rather, teaches a specific embodiment that was not addressed. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it would have been obvious to combine the teachings, motivated by the advantage in ease of use provided by tailoring the invention to an educational environment.

Examiner officially notes that calling the time periods class periods is nonfunctional descriptive material, because it does not alter the article, and the application would be operable in the same manner regardless of if the time periods are class periods, work shifts, etc. Thus, this nonfunctional descriptive material will not distinguish the claimed invention from the prior art in terms of patentability.

Regarding claims 8-12 and 15-19, Worthington teaches that the invention can be embodied in a data processing unit, such as a laptop computer (col. 3, lines 52-55). It is thus inherent that a laptop computer would contain a processor, a memory coupled to the processor, a storage medium coupled to the processor, and would be able to run software that would perform the steps of claims 8 and 15. It is also inherent that a laptop is a portable computing device.

Claims 8-12 and 15-19 are rejected using the same art and rational as used above in rejecting claims 1-5.

9. **Claims 6-7, 13-14, and 20-21 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Worthington (US 6,442,527 B1) in view of Lofton (US 2003/0154116 A1), further in view of Johnson JR. (US 2004/0078752 A1).

Regarding claims 6, 13, and 20, neither Worthington nor Lofton teach wherein the attached file' association with the time management entry is indicated with a graphical icon in the application near the time management entry.

Lofton teaches wherein the attached file's association with the time management entry is indicated in the application near the time management entry (par. 112, lines 1-15).

Johnson JR teaches that the time management entry is indicated with a "document reference or document identifier" (par. 42, lines 4-8). Though Johnson JR does not specifically teach "graphical icon," "graphical icon" is an obvious if not inherent variation of "document identifier."

The inventions of Lofton and Johnson JR pertain to attaching files to scheduled calendar events. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Lofton and Johnson JR do not teach away from or contradict Worthington, but rather, elaborate on a detail that was not addressed. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it

would have been obvious to combine the teachings, motivated by the improvement in aesthetics and ease of use.

Examiner officially notes that specifying that the file attached to the time management entry is indicated with a graphical icon is nonfunctional descriptive material, because it does not alter the article, and the application would be operable in the same manner regardless of how the file attached to the time management entry is indicated. Thus, this nonfunctional descriptive material will not distinguish the claimed invention from the prior art in terms of patentability.

Regarding claims 7, 14, and 21, neither Worthington nor Lofton teach wherein the user is able to activate the application associated with the attached file and view the attached file by selecting the graphical icon.

Lofton teaches wherein the user is able to activate the application associated with the attached file and view the attached file by selecting the link (par. 112, lines 1-15).

Johnson JR teaches that the time management entry is indicated with a "document reference or document identifier" (par. 42, lines 4-8). Though Johnson JR does not specifically teach "graphical icon," "graphical icon" is an obvious if not inherent variation of "document identifier."

The inventions of Lofton and Johnson JR pertain to attaching files to scheduled calendar events. All the claimed elements were known in the prior art and one skilled in the art could have combined the elements as claimed by known methods with no change in their respective functions, as Johnson JR and Lofton do not teach away from or contradict Worthington, but rather, elaborate on a detail that was not addressed. Additionally, the combination would have yielded predictable results to one of ordinary skill in the art at the time of the invention. Thus, it

would have been obvious to combine the teachings, motivated by the improvement in aesthetics and ease of use.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAIME F. CARDENAS NAVIA whose telephone number is (571)270-1525. The examiner can normally be reached on Mon-Fri, 7:30AM - 5:00PM EST, Alt Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thu Nguyen can be reached on (571) 272-6967. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

December 12, 2007

/JAIME CARDENAS-NAVIA/
Examiner, Art Unit 4182

/Thu Nguyen/

Supervisory Patent Examiner, Art Unit 4182